

Misbranding of the article was alleged in that the cans bore statements, designs, and devices regarding the article and the ingredients and substances contained therein, which were false and misleading and deceived and misled the purchaser by representing the product to be canned tomatoes, whereas it contained added water. It was further misbranded in that it was an imitation of, and was offered for sale under the distinctive name of, another article.

On May 18, 1920, Charles Webster, claimant, having consented to a decree in both cases, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon payment of the costs in the proceedings and the filing of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

7939. Adulteration of gelatin. U. S. * * * v. Clarkson Glue Co., a Corporation. Plea of guilty. Fine, costs. (F. & D. No. 9054. I. S. No. 9412-p.)

On March 20, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Clarkson Glue Co., a corporation, Chicago, Ill., alleging shipment by defendant, in violation of the Food and Drugs Act, on or about August 3, 1917, from the State of Illinois into the State of Nebraska, of a quantity of an article which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Total ash (per cent)-----	3.52
Copper (parts per million)-----	71
Arsenic (parts per million)-----	6
Zinc (parts per million)-----	1,237

Jelly strength, overnight in ice box, 2½ per cent solution: Strong jelly.

Organoleptic examination, appearance, hot 2½ per cent solution: Turbid.

The product was glue.

Adulteration of the article was alleged in the information in that a substance, to wit, glue, had been mixed and packed with the article so as to lower or reduce and injuriously affect its quality; further adulteration was alleged in that a substance, to wit, glue, had been substituted in part for gelatin, which the article purported to be; further adulteration was alleged in that the article contained added poisonous and deleterious ingredients, to wit, arsenic, copper, and zinc, which might render the article injurious to health.

On March 22, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of the costs.

E. D. BALL, *Acting Secretary of Agriculture.*

7940. Adulteration of shell eggs. U. S. * * * v. Emil M. Anderson and Oscar E. Anderson (Home Cash Store). Plea of guilty. Fine, \$200. (F. & D. No. 9729. I. S. No. 5662-r.)

On April 28, 1919, the United States attorney for the District of North Dakota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Emil M. Anderson and Oscar E. Anderson, copartners, trading as the Home Cash Store, Kulm, N. Dak., alleging shipment by said company, in violation of the Food and Drugs

Act, on or about August 20, 1918, from the State of North Dakota into the State of Minnesota, of a quantity of shell eggs which were adulterated.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that in 9 half cases of the shipment of 18 cases there were 102 inedible eggs, or 6.3 per cent.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, putrid, and decomposed animal substance.

On September 2, 1919, a plea of guilty to the information was entered on behalf of the defendants, and the court imposed a fine of \$200.

E. D. BALL, *Acting Secretary of Agriculture.*

7941. Misbranding of barley flour. U. S. * * * v. Central Dakota Mill Co. Plea of guilty. Fine, \$50. (F. & D. No. 9800. I. S. No. 9621-p.)

On June 23, 1919, the United States attorney for the District of South Dakota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Central Dakota Mill Co., a corporation, Arlington, S. Dak., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about March 26, 1918, from the State of South Dakota into the State of Missouri, of a quantity of an article, labeled in part "Barley Flour," which was misbranded. The sacks bore no statement of weight, but were invoiced as 140 pounds net.

Examination of 40 bags of the article by the Bureau of Chemistry of this department showed an average shortage per bag of 2.5 pounds, or 1.79 per cent.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 1, 1920, a plea of guilty to the information was entered on behalf of the defendant corporation, and the court imposed a fine of \$50.

E. D. BALL, *Acting Secretary of Agriculture.*

7942. Adulteration and misbranding of Big G. U. S. * * * v. 42 Bottles * * * Big G. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10418. I. S. No. 7896-r. S. No. C-1242.)

On May 22, 1919, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 42 bottles, more or less, of Big G, remaining unsold in the original unbroken packages at Indianapolis, Ind., alleging that the article had been shipped on or about December 19, 1917, by the Evans Chemical Co., Cincinnati, Ohio, and transported from the State of Ohio into the State of Indiana, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a dilute aqueous solution of borax and berberine. No hydrastine was present.

Adulteration of the article was alleged in the libel in that its strength and purity fell below the standard and quality under which it was sold.

Misbranding of the article was alleged in substance in the libel in that certain statements in English and foreign languages, on the carton enclosing, in the booklets accompanying, and on the label on the bottle containing the article, regarding its curative or therapeutic effects, to wit, "The Evans Chemical Company Cincinnati Ohio U. S. A. Big G A Nonpoisonous Tonic * * A Treatment For Unnatural Discharges of the urinary organs, Catarrh, Hay Fever and